

1 10A NCAC 13D .2210 is proposed to be amended as follows:

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3 **10A NCAC 13D .2210 REPORTING AND INVESTIGATING ABUSE, NEGLECT OR**  
4 **MISAPPROPRIATION**

5 (a) ~~The A~~ facility shall take ~~reasonable~~ measures to prevent patient abuse, patient neglect, or misappropriation of  
6 patient property, including but not limited to orientation and instruction of facility staff on patients' rights, and the  
7 screening of and requesting of references for all prospective employees.

8 (b) The administrator shall ensure that the Health Care Personnel Registry Section of the Division of Health Service  
9 Regulation is notified within 24 hours ~~or as soon as practicable of all allegations which appear to a reasonable~~  
10 ~~person to be related to patient abuse, neglect or misappropriation of patient property.~~ of the health care facility  
11 becoming aware of all allegations against health care personnel as defined in G.S. 131E-256 (a)(1), which includes  
12 abuse, neglect, misappropriation of resident property, misappropriation of the property of the facility, diversion of  
13 drugs belonging to a health care facility or a resident, fraud against a health care facility or a resident, and injuries of  
14 unknown source in accordance with 42 CFR subsection 483.13 which is incorporated by reference.

15 (c) The facility shall ~~thoroughly~~ investigate allegations of patient abuse, patient neglect, or misappropriation of  
16 patient property in accordance with 42 CFR subsection 483.13 which is incorporated by reference, including  
17 subsequent amendments, and shall document all relevant information pertaining to such investigation and shall take  
18 whatever steps are necessary to prevent further incidents of abuse, neglect or misappropriation of patient property  
19 while the investigation is in progress. ~~Copies of the The Code of Federal Regulations Regulations, Title 42, Public~~  
20 ~~Health, Part 430 to the end, revised as of October 1, 2005, Description Item 572-B, may be purchased from the~~  
21 ~~Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, PA 15202-7954 979050, St.~~  
22 ~~Louis, MO 63197-9000, for thirty eight dollars (\$38.00) and may be purchased with a credit card by a direct~~  
23 ~~telephone call to the G.P.O. at (202) 512-1800. (866) 512-1800 or online at <http://bookstore.gpo.gov/> or accessed~~  
24 electronically at <http://ecfr.gpoaccess.gov/>.

25 (d) The administrator shall ensure that the report of investigation is printed or typed and postmarked to the Health  
26 Care Personnel Registry Section of the Division of Health Service Regulation within five working days of the  
27 allegation. The report shall include the date and time of the alleged incident of abuse, neglect or misappropriation of  
28 property; the patient's full name and room number; details of the allegation and any injury; names of the accused and  
29 any witnesses; names of the facility staff who investigated the allegation; results of the investigation; and any  
30 corrective action that may have been taken by the facility.

31 (e) The facility shall not employ any person with a substantiated finding on the North Carolina Health Care  
32 Personnel Registry.

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34 *History Note: Authority G.S. 131E-104; 131E-131; 131E-255; 131E-256;*  
35 *Eff. January 1, 1996;*  
36 *Amended Eff. October 1, 1998.*